



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Friddle *et al.*

Serial No.: 09/940,919 Group Art Unit: 1647

Filed: 08/28/2001 Examiner: S. Wegert

For: Novel Human GABA Transporter Protein and  
Polynucleotides Encoding the Same Atty Docket No.: LEX-0228-USA

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER**  
**TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
Alexandria, VA 22313

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed June 21, 2005 ("the Final Action"), finally rejecting claim 7. The fee as required under 37 C.F.R. § 1.17(b) for filing this Notice of Appeal is \$250.00, and the Commissioner is hereby authorized to deduct this fee from Applicants' Representatives' Deposit Account No. 50-0892.

The Notice is timely filed, and Applicants believe no fees in addition to the fee for filing the Notice of Appeal are due in connection with this communication. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason related to this communication, the Commissioner is authorized to consider this document a petition, and charge any underpayment or credit any overpayment to Applicants' Representatives' Deposit Account No. 50-0892.

Respectfully submitted,

September 21, 2005

Date

David W. Hibler  
Agent For Applicants

Reg. No. 41,071

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